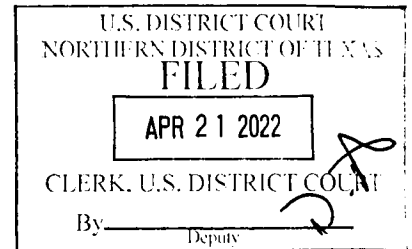


IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
AMARILLO DIVISION



UNITED STATES OF AMERICA

Plaintiff,

v.

BRENDA AURORA PAYNE

Defendant.

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2:21-CR-003-Z-BR-(01)

ORDER

Defendant Brenda Payne, individually, filed two Pro Se Motions for Release of Property (ECF Nos. 45 and 48). Defendant asks the Court to release her cell phone that was seized as evidence during her arrest on October 5, 2020, or to provide her with a “property release form.” ECF No. 45 at 1. Upon reviewing the record, Defendant pled guilty to Distribution and Possession with Intent to Distribute Methamphetamine on February 10, 2021. ECF No. 21 at 1. In her plea agreement, Defendant agreed not “contest, challenge, or appeal in any way” the forfeiture of all property seized by law enforcement on October 5, 2020. *Id.* at 4, ¶ 8. Therefore, Defendant is not entitled to the return of her cell phone. The Court **FINDS** Defendant’s Motion for Release of Property should be and is hereby **DENIED**.

SO ORDERED.

April 21, 2022



MATTHEW J. KACSMARYK
UNITED STATES DISTRICT JUDGE